

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Bapu P. Arekapudi
DOCKET NO.: 04-23617.001-C-1
PARCEL NO.: 14-29-401-031-0000

The parties of record before the Property Tax Appeal Board are Bapu P. Arekapudi the appellant, by attorney Patrick J. Cullerton of Thompson Coburn Fagel/Haber, Chicago, and the Cook County Board of Review.

The subject property consists of a 3,125 square foot parcel improved with a 20-year-old, one-story style commercial building of masonry construction located in Lake View Township, Cook County.

The appellant, through counsel, presented evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process as the basis of the appeal. The appellant argued the subject should be assessed based on 1,800 square feet of building area rather than 2,375 square feet as 575 square feet of building area is a garage. In addition, the appellant argued the subject is over assessed in relation to a comparable property located adjacent to the subject. This comparable property is a four-story masonry constructed mixed-use condominium building with commercial space on the first floor and living space on the upper floors. The appellant asserted the adjacent property's ground floor is identical in design when compared to the subject. Two other comparables without descriptions, located on the same street and block as the subject, were also included. According to counsel's brief, the comparables range in size from 1,775 to 2,229 square feet and have improvement assessments ranging from \$47,447 to \$86,746 or from \$81.54 to \$140.00 per square foot. A copy of the subject's 2004 board of review final decision was also included. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$108,300 was disclosed. In support, the board of review offered a memorandum

(Continued on Next Page)

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	47,500
IMPR.:	\$	60,800
TOTAL:	\$	108,300

Subject only to the State multiplier as applicable.

indicating the sales of five properties suggests an unadjusted range of from \$139.00 to \$267.04 per square foot of building area supports the current assessment. *CoStar Comps* sales sheets for the six comparables were offered in support. The comparable properties and one or two-story commercial buildings ranging from 37 to 123 years old and in building size from 1,966 to 2,700 square feet. These properties were sold from April 2002 to May 2004. Based on the foregoing, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The appellant's argument was unequal treatment in the assessment process. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellant has failed to overcome this burden.

The first issue before the Board is the correct square footage attributable to the subject improvement. The Board finds that the appellant failed to substantiate the claim that the subject's garage space is not an assessable component of a commercial property. Consequently, the Board finds the subject contains 2,375 square feet of living area.

Next, the Property Tax Appeal Board finds that the appellant's evidence does not support the claim of inequitable assessment. The three comparables lack sufficient descriptive data to make an informed decision regarding their comparability to the subject. In particular, the Board finds that the appellant's comparable number one is part of a four-story condominium complex and is dissimilar to the subject. Finally, as a result of this analysis, the Property Tax Appeal Board finds the appellant failed to adequately demonstrate that the subject dwelling was inequitably assessed by clear and convincing evidence and no reduction is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member

Member

Member

DISSENTING:

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: February 29, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the

subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.